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June 30, 1999

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JUN 30 1999

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Hand Delivered

Ms. Magalie Roman Salas
Office of the Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Room TW-A325
Washington, D.C. 20554

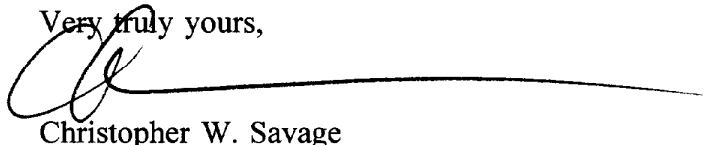
Re: CC Docket No. 99-169

Dear Secretary Salas:

Enclosed please find an original and seven (7) copies of the Voluntary Withdrawal of of Global NAPs Inc. in the above-referenced proceeding.

Please return a filed-stamped copy of this letter to me in the enclosed stamped, self-addressed envelope.

Very truly yours,



Christopher W. Savage

cc: Attached Service List

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**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of

Petition of Global NAPs South, Inc. for Preemption
of the Jurisdiction of the Pennsylvania Public
Utility Commission Regarding Interconnection
Dispute with Bell Atlantic-Pennsylvania

CC Docket No. 99-169

VOLUNTARY WITHDRAWAL OF PETITION

1. Global NAPs, South, Inc. ("Global NAPs") initiated this proceeding on May 10, 1999. On May 13, the Pennsylvania Public Utility Commission ("PUC") adopted an order establishing an extremely expedited procedure for disputes regarding requests by a competing local exchange carrier ("CLEC") to opt into an existing interconnection agreement, and has applied this procedure to Global NAPs' dispute with Bell Atlantic. On June 10, 1999, an administrative law judge ("ALJ") conducted a hearing, and on June 23, 1999, his recommended decision was issued, concluding that Global NAPs should be able to "opt in" to the contract that Global NAPs has been seeking to operate under since September 1998.

2. The process in Pennsylvania is not yet complete. Parties have until July 8, 1999, to file exceptions to the recommended decision, and, if Bell Atlantic is true to form, it will do so. The PUC will then need to act on those exceptions at a public meeting. Global NAPs understands that the PUC has public meetings scheduled on July 15, 1999, and then on August 12, 1999. While Global NAPs hopes that the PUC will be able to resolve this matter at its July 15 meeting, even if it cannot, it seems very likely that a decision will be forthcoming by mid-August.

3. As Global NAPs has stated previously, it has no inherent interest in having this Commission, as opposed to the PUC, decide the terms and conditions under which it may interconnect with Bell Atlantic. Global NAPs' concern is, and has been, that *some* regulator with jurisdiction over Bell Atlantic establish those terms and conditions, and put an end to Bell Atlantic's

abusive, anticompetitive efforts to exclude Global NAPs from the market. It now appears that even if this Commission were to take jurisdiction of this matter, it would be unlikely to reach a decision on the merits sooner than the PUC will do so. In these circumstances, Global NAPs hereby respectfully withdraws its pending petition to preempt the jurisdiction of the PUC with regard to over its dispute with Bell Atlantic.

4. While Global NAPs is confident that the PUC will act promptly with regard to any exceptions that may be filed, it is always possible that factors not now apparent will lead to additional delay. In the unlikely event that the PUC does *not* act promptly to finally establish terms and conditions under which Global NAPs may interconnect with Bell Atlantic, Global NAPs reserves the right in the future to file a new, independent petition for preemption, based on the facts as they may exist at that time. Again, however, Global NAPs emphasizes that it appreciates the PUC's efforts to handle this dispute promptly under the new expedited procedure, and fully expects a final resolution to be forthcoming from that body in an expedited manner as well.

Respectfully submitted,

GLOBAL NAPs SOUTH, INC.

By:



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Date: June 30, 1999

CERTIFICATE OF SERVICE

I, Linda M. Blair, hereby certify that on this 30th day of June, 1999, I caused a copy of the foregoing Comments of Global NAPS, Inc. to be sent via messenger (*), or by Federal Express, to the following:

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